

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

HERNANDEZ,

Plaintiff(s),

v.

WABASH NATIONAL CORPORATION, et al.,

Defendant(s).

NO. C06-57

ORDER ON MOTION TO REVISE  
CASE SCHEDULE

The Court, having received and reviewed the Plaintiffs' and Defendants' Joint Motion to Modify Trial Date, makes the following findings:

1. The motion contains no specific (or insufficient) facts to establish good cause for a continuance and/or
2. The motion provides no suitable explanation as to why the existing case schedule deadlines were not met.

The parties have requested an extension of their case schedule deadlines after the deadline for the identification of experts has passed. In making their request, Plaintiffs and Defendant Wabash National Corporation ("Wabash") fail to advise the Court of when the experts were retained, when the information was forwarded to the retained experts and why the experts were not able to meet the existing deadlines.

Defendant Bendix Commercial Vehicle Systems ("Bendix") opposes the continuance, claiming that little if any work has been done on the case. Plaintiff and Defendant Wabash claim that they have not been dilatory, but do not outline what has been accomplished to date, nor do they outline with any


1 specificity what needs to be done. Neither of the moving parties have made any response to Bendix's  
2 claim of prejudice.

3 A discovery cut-off two months before trial is not acceptable, and puts the close of discovery  
4 after the deadline for the filing of dispositive motions.

5 Therefore, IT IS HEREBY ORDERED that the request to revise the existing case schedule is  
6 DENIED without prejudice to bring a renewed motion which cures the defects noted above and  
7 outlines a plan for meeting the revised deadlines.

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9 The clerk is directed to send copies of this order to all counsel of record.

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11 Dated: October, 12, 2006

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14 Marsha J. Pechman  
15 U.S. District Judge  
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